

**STATE OF CALIFORNIA  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
DUTY STATEMENT**

Employee Name	Classification Name FEH Counsel IV (Spec.)		Position Number 326-277-5780-
Division/Unit Mediation Division	Date	Prior Incumbent	Prior Pos #(if applicable)

**SUMMARY OF RESPONSIBILITIES**

Under the general supervision of the Director and Chief Deputy Director, an FEH Counsel IV (Specialist) assigned to the Mediation Division is a subject matter expert who, with broad discretion, prudence and independence, performs the following duties:

**Description of Essential Functions:**

- 30% Adhering to strict deadlines, mediates the most complex, difficult, and sensitive complaints of discrimination alleging violations of the Fair Employment and Housing Act, Unruh Civil Rights Act, and Ralph Civil Rights Act, including but not limited to complaints implicating the right to free speech, free exercise of religion, privacy, and other constitutional rights.
- 30% Participates in the leadership, instruction and operation of DFEH's statewide civil rights clinics. Works closely with students in the clinics' investigation and possible litigation of Fair Employment and Housing Act cases under the direction of the Chief of Enforcement and/or Chief Counsel.
- 20% Acts as a lead attorney mediator who routinely advises other FEH Counsel mediators and/or assigns or directs their work to ensure an effective, efficient functioning Mediation Division.
- 20% Under the direction of the Chief of Enforcement and/or Chief Counsel, investigates and litigates complex cutting edge group and/or class action complaints of discrimination alleging violations of the Fair Employment and Housing Act, Unruh Civil Rights Act, and Ralph Civil Rights Act, which will impact a substantial number of California residents.

**Knowledge and Abilities**

Knowledge of legal principles and their application; legal research methods; court procedures; principles of administrative and constitutional law; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; provisions of laws and Government Code sections administered or enforced.

Ability to analyze legal principles and precedents and apply them to the most difficult and complex legal and administrative problems; perform the most difficult and complex legal research; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; draft the most complex and difficult opinions, pleadings, rulings,

regulations and legislation; negotiate effectively and conduct litigation that is most complex and sensitive in nature; work cooperatively with a variety of individuals and organizations and maintain in confidence and respect of others; work effectively under pressure.

### **Desirable Qualifications**

Completion of at least 32 hours of verifiable formal mediation training that includes mediation theory and role-play; mediation of at least 10 employment and/or fair housing or public accommodation cases to conclusion; knowledge of the laws governing mediation, including, but not limited to, confidentiality; ability to effectively interact with people in emotionally charged situations; and ability to analyze issues in dispute, evaluate their importance and susceptibility to compromise and formulate ideas and practical suggestions for alternative solutions. Ability to work well under time constraints, good case management skills, integrity, initiative, tact, dependability, good judgment, and ability to work independently and cooperatively.

### **Work Environment, Physical, or Mental Abilities**

The demands described here are representative of those that must be met by the incumbent to successfully perform the essential functions of the job.

- Requires daily use of a personal computer and related software applications at a workstation.
- Requires ability to lift case files, office supplies, books and manuals (up to 20 lbs.).
- Requires ability to complete tasks that require reaching, bending, grasping, and making repetitive hand movements in the performance of daily duties.
- Requires prolonged sitting and or standing at a workstation for 6.5 to 7 hours per day.
- Requires dependability and excellent attendance records.
- Requires frequent travel to conduct on-site state business.

### **Supervision Received:**

The FEH Counsel IV (Specialist) receives supervision from the Director and Chief Deputy Director.

### **Supervision Exercised:**

None.

### **Administrative Responsibility:**

Adheres to all applicable laws, rules, policies and procedures, including but not limited to the CDRC Standards of Practice for California Mediators, Rules of Professional Conduct, Political Reform Act, Statement of Incompatible Activities, Administrative Manual, and directives from departmental management personnel.

**Personal Contacts:**

The FEH Counsel IV (Specialist) assigned to the Mediation Division has contact with Department's Executive Team and extensive contact with public agencies, private organizations and the general public including complainants, respondents, and legal representatives.

**Actions and Consequences:**

Failure to use good judgment in handling sensitive and confidential information could result in violation of individual privacy rights, prejudice to DFEH cases, and discredit to the Department.

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Supervisor's Signature

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Date

I have read and understand the duties assigned as described above.

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Signature of Incumbent

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Date